

REMARKS

Claim 1 has been cancelled. New claims 77-82 have been added.

On page 2 of the Office Action dated January 10, 2005, claims 19 and 38 were objected to due to various "informalities." Applicant has cancelled claims 19 and 38, thereby rendering the objection moot.

On page 5 of the Office Action, claim 48 was rejected under 35 U.S.C. § 101 due to alleged double patenting. Applicant has cancelled claim 48, thereby rendering the rejection moot.

On page 9 of the Office Action, claims 1, 19-42, and 51-63 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-2 of U.S. Patent No. 6,192,399 B1 (Goodman). Applicant has cancelled claims 1, 19-42, and 51-63, thereby rendering the rejection moot.

On page 10 of the Office Action, claims 64, 65, 66, and 68 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 5,856,980 (Doyle). Applicant has cancelled claims 64, 65, 66, and 68, thereby rendering the rejection moot.

On page 12 of the Office Action, claims 67, 69, 70, and 71-76 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Doyle in view of U.S. Patent No. 5,623,543 (Cook). Applicant has cancelled claims 67, 69, 70, and 71-76, thereby rendering the rejection moot.

New claims 77-82 have been added. Applicant respectfully submits that independent claim 77 is patentable over Doyle in view of Cook, as neither Doyle nor Cook, taken alone or in combination, teaches or suggests its features.

Doyle is directed to a baseband encoding/decoding method and apparatus for increasing transmission bit rate over a communication medium, while maintaining the desired bandwidth, bit error rate (BER) and hamming distance.

Cook is directed to a telecommunications station including a line port, a high-pass filter, and a low-pass filter.

In at least one embodiment, the present invention provides an apparatus and method for using an existing telephone wiring network for bi-directional communication of data and television signals, in addition to telephone communication, thereby reducing costs of deploying such communication.

Applicant respectfully submits that neither Doyle nor Cook, taken alone or in combination, teaches or suggests, "creating a first recreated stream of digital data from the plurality of sub-streams recovered from said plurality of downstream signals, wherein the first recreated stream

of digital data is substantially identical to said first stream of digital data," as recited in claim 77.

As claims 78-82 depend from claim 77, claims 78-82 are also patentable over the references, for at least the reasons presented above with respect to claim 77.

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

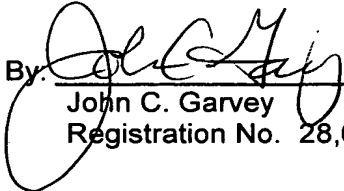
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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